

# **SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS**

## **Redfield School District Continuous Improvement Monitoring Process Report 2006-2007**

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**Dates of On Site Visit:** February 5 and 6, 2007

**Date of Report:** March 20, 2007

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

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|---------------------------|---|
| <b>Promising Practice</b> | The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.  |
| <b>Meets Requirements</b> | The district/agency consistently meets this requirement.  |
| <b>Needs Assistance</b>   | The district/agency consistently does not meet this requirement and is out of compliance.   |
| <b>Needs Intervention</b> | The district/agency consistently does not meet this requirement and is out of compliance.   |
| <b>Not applicable</b>     | In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries. |
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### **Principle 1 – General Supervision**

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through

performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

### **Steering Committee Self-Assessment Summary**

Data sources used:

Comprehensive plan

File reviews

#### **Meets Requirements**

The steering committee reported the district has established a child find system to locate, identify and evaluate children with disabilities, age birth through age 21 who may be in need special education services. The district has a pre-referral and referral system in place. The steering committee concluded no private schools within district boundaries and two students placed at Huron Center for Independence are receiving a free appropriate public education. The district has had no suspensions or expulsions from 2002-2005. The steering committee determined professional development was adequate for meeting the needs of teachers and students.

#### **Needs Improvement**

The steering committee concluded the dropout rate needs to improve and the district needs to improve special education training to meet staff needs.

### **Validation Results**

#### **Meets Requirements**

The monitoring team agrees with the steering committee report for Principle One, General Supervision with the exception of professional development opportunities for staff. The monitoring team validated the district has put in place some intervention to help with the dropout rate. Students benefit from placement at the alternative school for credit recruitment, peer mentoring, teacher mentoring and the student assistance team assesses student need and offer alternatives so students will be at less risk for dropping out.

#### **Needs Assistance-Out of Compliance**

**ARSD 24:05:16:01. Comprehensive system of personnel development.** The division shall establish and implement a comprehensive system of personnel development that:

(1) Is consistent with the purposes of Part B and Part C of the Individuals with Disabilities Education Act;

(2) Is designed to ensure an adequate supply of qualified special education, regular education, and related services personnel;

(3) Meets the requirements of this chapter; and

(4) Is updated at least every five years.

If the state receives a state improvement grant under Part D of the Individuals with Disabilities Education Act, the state shall have met the requirements of this section.

**ARSD 24:05:16:05. Staff development component in school district's comprehensive plan.** The staff development section of each school district's comprehensive plan shall include information to demonstrate that:

(1) All personnel necessary to carry out Part B of the Individuals with Disabilities Education Act within the jurisdiction of the district are appropriately and adequately prepared; and

(2) District policies and procedures are consistent with the requirements of this chapter.

To the extent that a school district determines appropriate, the district shall contribute to and use the division's comprehensive system of personnel development.

**ARSD 24:05:16:08. Content of personnel needs assessment.** The division shall collect personnel needs assessment data from all public agencies responsible for the provision of special education and related services, including early intervention and early childhood services, to infants, toddlers, children, and youth with disabilities, birth through 21 years.

**ARSD 24:05:16:16.01. Paraprofessionals and assistants.** Paraprofessionals and assistants who are appropriately trained and supervised in accordance with this section may be used to assist in the provision of special education and related services to children with disabilities under Part B of the Individuals with Disabilities Education Act. At a minimum, the following standards must be met:

(1) Paraprofessionals must have a high school diploma or GED;

(2) Paraprofessionals must work within defined roles and responsibilities as identified by the school district;

(3) Paraprofessionals must work under the supervision of, and be evaluated by, certified staff; and

(4) Each school district must describe the training to be provided paraprofessionals in the staff development component of the district's comprehensive plan under § 24:05:16:05.

The monitoring team determined through interviews with paraprofessionals, general education teachers, special education teachers and administrators that professional development opportunities are not available to all staff. Staff indicated very little or no information is available and some staff reported they are not aware of the process for requesting attendance at a workshop, inservice or other staff development activity. Some district staff indicated they were not provided with an opportunity to complete a needs assessment survey.

**ARSD 24:05:22:03. Certified child.** A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

The monitoring team concluded 4 students were placed on the child count under the wrong disability category. The evaluation information did not support the disability category on the 2005 child count. A student was listed on the child count as 510 mental retardation, evaluation information supported specific learning disability. A student was listed on the child count as 505 severe emotionally disturbed, evaluation information supported mental retardation. In another file, the student was listed as 525, specific learning disability and the evaluation information in the student files supported mental retardation. A student was listed on the 2006 child count as multiple disability, 530 (510,550), the evaluation report suggested autism however, an autism evaluation was not administered and the multidisciplinary team report dated (1-8-07) indicated 530 (510,550 and 555).

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group

homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

### **Steering Committee Self-Assessment Summary**

Data sources used:

State data tables

Surveys

Comprehensive plan

### **Meets requirements**

The steering committee reported the district meets the requirements for free appropriate public education and no students have been suspended or expelled.

### **Validation Results**

### **Meets Requirements**

The monitoring team agrees with all areas identified as meeting requirements for Principle One: General Supervision, as concluded by the steering committee.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

Student file reviews

Comprehensive plan

Surveys

Parents rights brochure

### **Meets requirements**

The steering committee concluded the district provided appropriate written notice and obtained informed consent before assessments were administered to children as part of the evaluation or re-evaluation at the preschool, elementary school, middle school/high school. In three files of students at

Turtle Creek, consent was not acquired for initial evaluation. The district included parents in the evaluation planning process in 18 of 24 files. In 12 student files reviewed, sufficient evaluation data was not available to determine eligibility. Evaluations were completed within the 25 school days in all but 6 files. Three year reevaluations were completed in 27 of 32 files reviewed. All evaluations listed on the prior notice/consent were administered in 9 of 19 files reviewed and parental rights were provided.

The steering committee reports the district ensures proper identification of students with disabilities through the evaluation process.

### **Needs improvement**

Functional assessment was administered and documented in 19 of 33 files reviewed.

### **Validation Results**

#### **Meets Requirements**

The monitoring team agrees the district provides prior written notice and informed consent prior to evaluation, parents are included in the evaluation process, evaluations were completed within the timelines and parents rights were provided since the pre-site visit in the spring of 2006. Refer to the area of out of compliance for other evaluation concerns.

#### **Needs Intervention – Out of Compliance**

**ARSD 24:05:25:04. Evaluation procedures.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

(1) Tests and other evaluation materials are provided and administered in the child's native language or by another mode of communication that the child understands, unless it is clearly not feasible to do so. Any standardized tests that are given to a child:

(a) Have been validated for the specific purpose for which they are used; and

(b) Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;

(2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;

(3) Tests are selected and administered so as best to ensure that a test administered to a child with impaired sensory, manual, or speaking skills accurately reflects the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the test purports to measure;

(4) No single procedure is used as the sole criterion for determining eligibility or an appropriate educational program for a child;

(5) A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, that may assist in determining:

- (a) Whether the child is a child with a disability; and
- (b) The content of the child's IEP, including information related to enabling the child:
  - (i) To be involved in and progress in the general curriculum;or
  - (ii) For a preschool child, to participate in appropriate activities;

(6) Technically sound instruments, assessment tools, and strategies are used that:

- (a) May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and
- (b) Provide relevant information that directly assists persons in determining the educational needs of the child;

(7) The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified;

(9) Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills; and

(10) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.

**ARSD 24:05:27:03. IEP team to determine related services.** In developing a child's individual educational program, the members of the IEP team shall determine whether any developmental, corrective, or other supportive services, including transportation, are required to assist a child to benefit from special education. These services must be written into the individual educational program as related services.

**ARSD 24:05:27:04. Determination of related services.** In deciding whether a particular developmental, corrective, or other supportive service is a related service, the members of the IEP team shall review the results of the individual evaluations used to determine the child's need for special education. Based on the specific special education services to be provided, the team shall determine whether or not related services are required in order to implement the special education program being recommended.

Through staff interviews and file reviews, the monitoring team determined occupational therapy services are not consistent in the amount of time documented in the student files. Evaluation reports and progress notes were not available in student files and services are not provided according to the student IEP. For students at Turtle Creek, occupational therapy observations were reported, however, no standardized test was administered and scored to determine the need for occupational therapy.

The monitoring team determined psychological report information was not brought forward on the prior notice for students who have at least two previous psychological tests in the file containing scores within the same ability range. The files showed students were not evaluated in all areas of suspected disability and parents were not given prior notice of all evaluation information utilized for eligibility determination for students at Turtle Creek.

The monitoring team reported a comprehensive evaluation was administered and the results showed autism AXIS I, however, no autism evaluation was listed on the prior notice nor was it administered.

The monitoring team reported functional assessment needs to provide relevant information that directly assists persons in determining the educational needs of the student. The monitoring team concluded files of students at Turtle Creek did not include functional assessment necessary for educational planning needs.



## **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

### **Steering Committee Self-Assessment Summary**

Data sources used:

File reviews

Comprehensive plan

Surveys

### **Meets requirements**

The steering committee concluded parents were informed of their rights and have been fully informed in their native language or another mode of communication of all relevant to the activity for which consent was sought. The district does not have a list of individuals who would serve as surrogate parents if needed. The steering committee indicated parents have the opportunity to inspect and review all educational records pertaining to the services provided for their child. The district has had 2 complaints in the past year. The district has followed procedures to remedy these complaints and no due process hearings have been filed in the past 3 years.

### **Validation Results**

#### **Meets Requirements**

The monitoring team agrees with the steering committee for areas listed as meets requirements for Principle Three, Appropriate Evaluation with the exception of requirements for Surrogate Parent.

### **Needs Intervention – Out of Compliance**

**ARSD 24:05:30:15. Surrogate parents.** Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent can be identified and the district, after reasonable effort, cannot discover the whereabouts of a parent or if the child is a ward of the state. At a minimum, a district's method for determining whether a child needs a surrogate parent must include the following:

(1) The identification of staff members at the district or building level responsible for referring students in need of a surrogate parent;

(2) The provision of in-service training on the criteria in this section for determining whether a child needs a surrogate parent; and

(3) The establishment of a referral system within the district for the appointment of a surrogate parent.

The district superintendent or designee shall appoint surrogate parents.

The district shall ensure that a person selected as a surrogate has no interest that conflicts with the interest of the child the surrogate represents and has knowledge and skills that ensure representation of the child. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

A district may select as a surrogate a person who is an employee of a nonpublic agency that only provides noneducational care for the child and who meets the conflict of interest and knowledge standards in this section.

A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.

A person who otherwise qualifies to be a surrogate under the provisions of this section is not an employee of the agency solely because the person is paid by the agency to serve as a surrogate parent.

The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provision of FAPE to the students.

The district superintendent or a designee is responsible for reporting to the placement committee on the performance of the surrogate parent.

The monitoring team determined through staff interview, the district does not have a list of potential surrogate parents.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are

IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

File reviews

Surveys

Comprehensive plan

### **Meets requirements**

The steering committee noted written notice is provided for all IEP meetings, the notice contains required content and appropriate team membership is documented on IEP's. Teacher surveys indicated they were informed of goals and objectives and needed modifications. Transitions services are appropriately documented on the student's IEP and records reviewed have policies and procedures in place to ensure an appropriate IEP for each eligible student.

### **Needs improvement**

The steering committee concluded agency representatives have not been invited to IEP meetings for students age 16 and older. Through files reviews, the steering committee indicated students are not invited to their IEP meetings. Student progress toward goals needs to be documented.

### **Validation Results**

### **Meets Requirements**

The monitoring team agrees with the steering committee data for Principle Five: Individual Education Plan. The areas of needs improvement also meet requirements in files completed since the presite in April, 2006.

### **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

File reviews

Comprehensive plans

## Surveys

### **Meets requirements**

The steering committee concluded all students receive services in the least restrictive environment with the supports needed for successful participation.

### **Needs Improvement**

The steering committee concluded training is needed for general and special education teachers in the area of curriculum modifications and creative instructional approaches.

### **Validation Results**

#### **Meets Requirements**

The monitoring team agrees with the steering committee data for Principle Six: Least Restrictive Environment.

#### **Needs Intervention: Out of Compliance**

Based on interviews with general education teachers, special education staff, Turtle Creek staff and administrators, the monitoring team determined the district professional development system is out of compliance. Refer to Principle One, General Supervision.